

▶ **FILE #:** 2-SB-14-F

AGENDA ITEM #: 18

AGENDA DATE: 2/13/2014

▶ **SUBDIVISION:** SHAWNEE WOODS ADDITION RESUB. OF LOTS 60-61

▶ **APPLICANT/DEVELOPER:** SMOKY MOUNTAIN LAND SURVEYING CO., INC.

OWNER(S): James & Debra Schmid

TAX IDENTIFICATION: 107 M D 007-008

JURISDICTION: City Council District 2

STREET ADDRESS:

▶ **LOCATION:** Southeast side of Hiawatha Dr, west of Scenic Dr.

SECTOR PLAN: West City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

▶ **APPROXIMATE ACREAGE:** 26312 square feet

▶ **NUMBER OF LOTS:** 1

▶ **ZONING:** R-1 (Low Density Residential)

SURVEYOR/ENGINEER: Howard Dawson

▶ **VARIANCES REQUIRED:**

1. To reduce the required utility and drainage easement under the existing structure from 5' to 3.9' as shown on plat.
2. To reduce the required utility and drainage easement under the existing wall from 5' to 0' as shown on plat.
3. To reduce the required right of way width of Hiawatha Drive from 25' to 15' from the centerline to the property line as shown on plat.

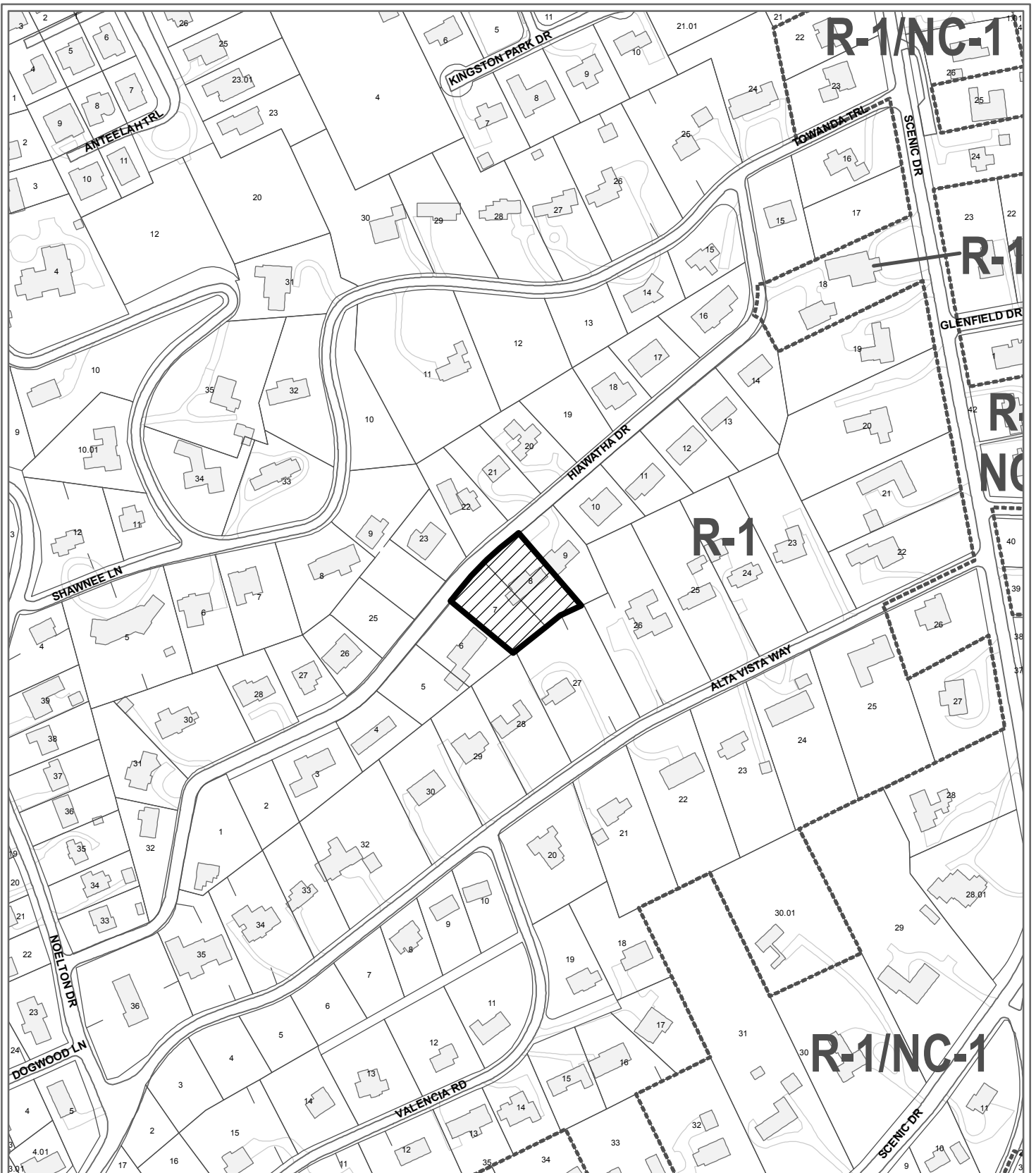
STAFF RECOMMENDATION:

▶ **Approve Variances 1-2
 DENY Variance 3
 DENY Final Plat**

COMMENTS:

MPC staff received the revised copies of the plat on corrections deadline. The applicant submitted the plat of two lots of record on the City Ward Map and recorded at the Register of Deeds to be combined into one lot. The applicant has requested three variances for the property. Two variances were for reduction of the standard utility and drainage easement under the existing dwelling and a retaining wall. The third variance was to reduce the required right of way of Hiawatha Drive from 25' to 15' from the centerline to the property line. The property was originally platted and recorded in November 1957 with a 30' right of way which does not meet today's requirements of a local street per The Major Road Plan. MPC Staff could not recommend approval without the support of City Engineering Department. Except for the right of way variance the plat meets all other conditions for approval of the Minimum Subdivision Regulations.

MPC's approval or denial of this request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court appeal hearing will depend on when the appeal application is filed.



**2-SB-14-F
FINAL SUBDIVISION PLAT**



Final Plat For: Shawnee Woods Addition Resub. of Lots 60-61

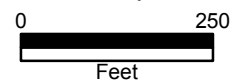
Original Print Date: 2/6/2014
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Smoky Mountain Land
 Surveying Co., Inc.

Map No: 107

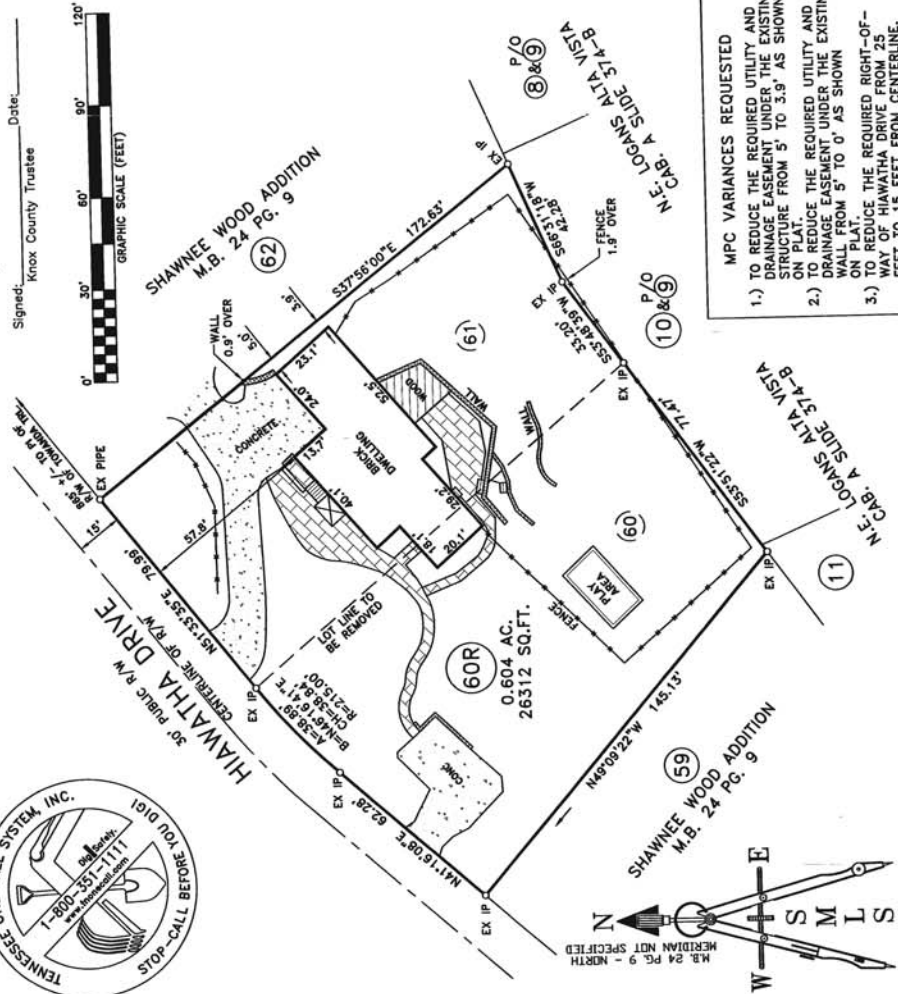
Jurisdiction: City



NOTES:
 1. THE UNDERGROUND UTILITIES SHOWN, IF ANY, HAVE BEEN LOCATED FROM FIELD SURVEY AND GUARANTEED THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. THE SURVEYOR HAS NOT BEEN ADVISED THAT UNDERGROUND UTILITIES SHOWN ARE NOT MAINTAINED BY ANY ENTITY.
 2. THE EXACT LOCATION INDICATED IN THE EXACT LOCATION INDICATED.
 3. ALL UNDERGROUND UTILITIES, INCLUDING BUT NOT LIMITED TO, WATER, GAS, ELECTRIC, TELEPHONE, CABLE, AND OTHER UTILITIES, SHOULD BE PROPERLY MAINTAINED AND PROTECTED BEFORE EXCAVATION OR CONSTRUCTION.



This is to certify that there are no recorded drainage or utility easements on lot(s) being eliminated on this subdivision plat.
 Date: _____ Signature: _____
 This is to certify that all property taxes and assessments due on this property have been paid.
 Signed: _____ Date: _____
 City Tax Clerk
 Signed: _____ Date: _____
 Knox County Trustee



MPC VARIANCES REQUESTED

- 1.) TO REDUCE THE REQUIRED UTILITY AND DRAINAGE EASEMENT UNDER THE EXISTING STRUCTURE FROM 5' TO 3.9' AS SHOWN ON PLAT.
- 2.) TO REDUCE THE REQUIRED UTILITY AND DRAINAGE EASEMENT UNDER THE EXISTING WALL FROM 5' TO 0' AS SHOWN ON PLAT.
- 3.) TO REDUCE THE REQUIRED RIGHT-OF-WAY OF HIAMATHA DRIVE FROM 25 FEET TO 15 FEET FROM CENTERLINE.

DATE APPROVED: _____

THE APPROVAL OF THIS PLAT DOES NOT INCREASE ANY ZONING NON-COMPLIANCE FOR THIS LOT. THE PROPERTY NOR DOES IT CHANGE LEGAL STATUS OF THE STRUCTURES. DOCUMENTATION AS TO THE LEGAL STATUS OF THE STRUCTURES, VARIANCES FROM THE BOARD OF ZONING APPEALS MAY BE REQUIRED AT SOME LATER DATE FOR PERMIT APPLICATIONS OR OTHER DEVELOPMENT APPROVALS.

- NOTES:**
- 1.) LOT CONTAINING 0.604 ACRES, 26312 SQ.FT., ON EACH SIDE OF ALL INTERIOR LOT LINES AND 10 FEET ON INSIDE OF ROAD.
 - 2.) UTILITY AND DRAINAGE EASEMENTS ARE TO BE LOCATED WITHIN THE BOUNDARY LINES, EXCEPT AS NOTED OTHERWISE.
 - 3.) PROPERTY IS ZONED: "R-1".
 - 4.) THE PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS, CONDITIONS, PLANNING COMMISSIONS, ZONING ORDINANCES, EASEMENTS, AND BUILDING CODES, AND ANY OTHER APPLICABLE LAWS, ORDINANCES, AND REGULATIONS.
 - 5.) THE DESCRIBED PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FEMA MAPS.
 - 6.) SUBJECT TO EASEMENTS, RIGHTS-OF-WAYS, OR CLAIMS OF ADMINISTRATION FLOOD HAZARD RIGHTS-OF-WAYS, NOT SHOWN BY THE PUBLIC RECORDS.
 - 7.) EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREIN AS BEING A PART OF THIS SURVEY. THE RESULTS OF TITLE SEARCHES AND RECORDS SEARCHES WILL BE FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL. THIS PLAT INDICATES A PROPERTY BOUNDARY ENCROACHMENT. IT HAS NOT BEEN ADDRESSED BY PLAT REVIEWING AGENCIES. IT IS THE RESPONSIBILITY OF THE OWNER TO RESOLVE ANY PROPERTY BOUNDARY CONFLICTS.



OWNER:
 J.R. & DEBRA K. SCHMID
 4218 HIAMATHA DR.
 KNOXVILLE, TN 37919
 PH: (615)-971-4701

CERTIFICATE OF APPROVAL FOR RECORDING
 I, the undersigned, being a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee, I further certify that this plan and accompanying drawings, monuments, and statements conform to all regulations except as has been itemized, described and justified in a report filed with the Metropolitan Planning Commission, or for variances for which application has been filed. The indicated monuments were in place on the _____ day of _____, 2013.

Certification of Final Plat - Construction Complete
 I hereby certify that I, a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee, I further certify that this plan and accompanying drawings, monuments, and statements conform to all regulations except as has been itemized, described and justified in a report filed with the Metropolitan Planning Commission, or for variances for which application has been filed. The indicated monuments were in place on the _____ day of _____, 2013.

Certification of Catalog and Accuracy of Survey
 I hereby certify this is a category 1 survey and the ratio of precision of the unadjusted survey is 1:10,000 as shown hereon.

ADDRESSING DEPARTMENT CERTIFICATION
 I, the undersigned, hereby certify that the subdivision names conform to the Knoxville/Knox County Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.

The Knoxville Engineering Division hereby approves this plat, on file in _____ City of _____, 20____.



Certificate of Ownership and General Dedication
 I, the undersigned owner(s) of the property shown herein, hereby dedicate the lot(s) and portion of subdivision and dedicate the streets as shown to the public use forever and hereby certify that I (or, we or) the owner(s) in fee simple of the property and any and every owner(s) hereon or grant instrument as shown on this plat.

STATE OF TENNESSEE, COUNTY OF KNOX
 On this _____ day of _____, 20____ before me personally appeared _____, known to be the person described in, and who executed the foregoing instrument, and acknowledge that he/she executed the same as his/her free act and voluntary deed, this the day and year above.

STATE OF TENNESSEE, COUNTY OF KNOX
 On this _____ day of _____, 20____ before me personally appeared _____, known to be the person described in, and who executed the foregoing instrument, and acknowledge that he/she executed the same as his/her free act and voluntary deed, this the day and year above.

This is to certify that the subdivision shown herein is approved subject to the installation of sanitary sewers and treatment facilities and that such installation shall be in accordance with state and local regulations.

REVISED
 2/1/14
RESUBDIVISION OF LOTS 60-61 SHAWNEE WOOD ADDITION
 CITY BLOCK 24683
 SURVEY FOR _____ COUNTY KNOX
 DISTRICT 5
 LOT NO. 60-61
 ADDRESS 4318 & 4225 HIAMATHA DRIVE
 MAP BOOK 24 PAGE 9
 MAP AREA C SLIDE 86-D
 TAX MAP 107M GROUP D
 WARRANTY DEED BK. 1940
 CONUS TRACT NO. _____
 BEARING BASE RECORDED PLAT _____
 MORTGAGE CO. _____
 TITLE CO. _____

SMLS LAND SURVEYING CO., INC.
 HOWARD T. DAWSON
 R.L.S. #1301
 P.O. BOX 9691
 KNOXVILLE, TN 37940
 FAX: (615) 579-4825
 SMLS1301@BELLSOUTH.NET
 34TH YEAR

MPC FILE# 2-SB-14-F
 CITY, BLOCK 24683
 SURVEY FOR _____ COUNTY KNOX
 DISTRICT 5
 LOT NO. 60-61
 ADDRESS 4318 & 4225 HIAMATHA DRIVE
 MAP BOOK 24 PAGE 9
 MAP AREA C SLIDE 86-D
 TAX MAP 107M GROUP D
 WARRANTY DEED BK. 1940
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 MORTGAGE CO. _____
 TITLE CO. _____